

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Mats Lindstrom et al.      DOCKET NO.: CX03001USU(02CXT0077D)  
SERIAL NO.: 10/611,400      GROUP ART UNIT: 2611  
DATE FILED: June 30, 2003      EXAMINER: Pathak, Sudhanshu C.  
CONFIRMATION NO.: 1900  
CUSTOMER NO. 34408  
TITLE:      SATELLITE TRANSCODER

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August 2, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENT TO RESPONSE TO  
OFFICE ACTION FILED MAY 1, 2007**

The present document is being filed to supplement the Response to non-final Office action mailed November 1, 2006 (the "Office Action"), that was filed May 1, 2007. Applicants submit herewith the Declaration under 37 CFR § 1.131 of co-inventor Mats Lindstrom for the purpose of establishing the conception of the claimed invention prior to the earliest effective date of the reference cited by the Examiner in the Office Action, to-wit, U.S. Patent Application Publication No. US2004/0161031 A1 of *Kwentus et al.* ("*Kwentus*").

Claims 1-24 are currently pending in the present Patent Application. Claims 1, 9-10 (apparatus), and 11, 19-20 (means), and 21, 23-24 (method), are rejected under 35 U.S.C. § 102(e) as being anticipated by *Kwentus*. In light of the Declaration submitted herewith,

applicants respectfully submit that *Kwentus* does not claim the invention claimed in the pending application.

Independent claim 1, as amended, includes “an upconverter in signal communication with the modulator, where the upconverter produces the second digital signal from the new modulated digital stream of data,” and independent claim 11, as amended, includes “means for upconverting the new modulated digital stream of data to produce the second digital signal.” Finally, independent claim 21 includes the step of “upconverting the new modulated digital signal to produce the second digital signal.”

As for *Kwentus*, it has 83 claims, consisting of 12 independent claims. There are 3 transcoder claims, 6 integrated circuit claims, and 3 transcoding processing method claims. There are 9 dependent claims, *i.e.*, 12, 18, 25, 30, 35, 42, 49, 56, and 63, that include an “upconverter.” An example of such a claim is 12, which includes “an up-converter functional block that is operable to upconvert the analog IF signal to an L-band signal having a frequency in a range of 950 MHz to 2150 MHz.”

Thus, because the upconverter of *Kwentus* unconverts an analog signal and not a new modulated digital stream of data, *Kwentus* does not claim the same invention as the pending application. Moreover, as for claims 2, 12, and 22, the claimed invention also includes an upsampler that receives a “new modulated digital stream of data” and produces an upsampled signal. None of the claims of *Kwentus* include an upsampler.


Please reconsider the above-identified patent application in view of the attached

Declaration and the foregoing remarks.

Respectfully submitted,  
Mats Lindstrom et al.

Dated: August 2, 2007

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